



Atty. Dkt. No. P58317US2

TECH CENTER 600/2900

AUG 10 2001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jim APPINO et al.

Serial No.: 08/865,044

Art Unit: 1619

Filed: May 29, 1997

Examiner: Raj BAWA

For: DEVICE FOR DISPENSING A THERAPEUTIC OR COSMETIC  
SUBSTANCE, THE INERT VEHICLE OF WHICH IS A VOLATILE  
POLYDIORGANOSILOXANE, AND COMPOSITION INTENDED TO BE  
USED IN THE DEVICE

#19  
HKO  
8-15-01

**REQUEST FOR INTERVIEW**

Assistant Commissioner of Patents  
Washington, D.C. 20231

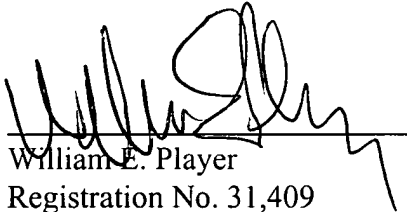
Sir:

Applicants respectfully request that the examiner telephone the undersigned (at the number provided, below) in order to arrange an interview before first action on the merits in the instant continuing application, in accordance with MPEP 706.07(b) and 713.02.

Respectfully submitted,

JACOBSON-HOLMAN PLLC  
400 Seventh Street, NW  
Washington, D.C. 20004  
**Telephone: (202) 638-6666**  
Atty. Docket No.: P58317US2  
Date: July 17, 2001  
WEP:id

By

  
William E. Player  
Registration No. 31,409

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Atty. Dkt. No. P5831 US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jim APPINO et al.

Serial No.: 08/865,044

Art Unit: 1619

Filed: May 29, 1997

Examiner: Raj BAWA

For: DEVICE FOR DISPENSING A THERAPEUTIC OR COSMETIC  
SUBSTANCE, THE INERT VEHICLE OF WHICH IS A VOLATILE  
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AUG 10 2001  
TECH CENTER 1600/2900  
#18  
HPO  
8-15-01

**RESPONSE TO NOTICE TO  
FILE MISSING PARTS OF  
APPLICATION UNDER 37 C.F.R. §1.53**

Assistant Commissioner of Patents  
Washington, D.C. 20231

**Attention: APPLICATION BRANCH  
MISSING PARTS OF APPLICATION**

Sir:

With respect to the above-identified patent application, the following are filed herewith in response to the Notice To File Missing Parts of Application under 37 C.F.R. §1.53, mailed January 17, 2001, copy attached.

- ☐ Declaration in compliance with 37 C.F.R. §1.63.
- ☐ Declaration in compliance with 37 C.F.R. §1.63, attached to copy of application as originally filed.
- ☐ Certified copy of \_\_\_\_\_ application No. \_\_\_\_\_, filed \_\_\_\_\_, the priority of which is claimed under 35 U.S.C. §119.
- ☐ An Assignment of the invention to: \_\_\_\_\_ together with the \$40 Recordation Fee, is being filed concurrently herewith.
- ☒ Request for Interview
- ☒ Petition for Extension of Time.
- ☒ Filing Fee, calculated as follows:

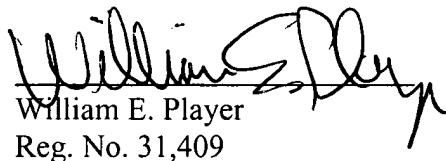
	<u>Small Entity</u>	<u>Large Entity</u>	
Basic Filing Fee	\$ 355	\$ 710	\$710.00
Total Claims _ - 14 = _	\$11 =	\$ 22 =	\$ 0.00
Indep. Claims _ - 2 = _	\$37 =	\$ 74 =	\$ 0.00
<u>X</u> Surcharge - Late Filing	\$65	\$130	\$130.00
_ Extension Fee under 37 CFR §1.17 + _			+ _
TOTAL FILING FEES			\$840.00

Check No. #, in the amount of \$840.00, is enclosed to cover the Filing Fee and the Surcharge for Late Filing. The Commissioner is hereby authorized to debit or credit any fees set forth in §1.16 or §1.17 to Deposit Account No. 06-1358 as needed in order to effect proper filing of the application. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

JACOBSON·HOLMAN PLLC

By

  
William E. Player  
Reg. No. 31,409

Date: July 17, 2001

400 Seventh Street, N.W.  
Washington, D.C. 20004-2201  
(202) 638-6666  
Atty. Docket: P58317US2



DATE MAILED

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**NOTICE TO FILE MISSING PARTS OF APPLICATION (CPA)**  
**Filing Date Granted**

The Continued Prosecution Application (CPA) request filed on 10-12-99 is entitled to a filing date under 37 CFR 1.53(d)(1). The CPA request, however, lacks the filing fee(s) and/or items indicated below.

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the fee(s), item(s), and any surcharge required below to avoid abandonment of this CPA. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The total amount owed by applicant is the sum of items 1(a) or (b), 2, and 3 (if checked) below.

- ☒ 1. The statutory basic filing fee is:  
☒ missing.  
☐ insufficient.

07/23/2001 HTECKLU1 00000001 08865044

01 FC:131

710.00 00

(a) Applicant must submit \$ 760.00 to complete the basic filing fee and the \$130.00 surcharge set forth in 37 CFR 1.16(e) (non-small entity), or \$ \_\_\_\_\_ to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e) and file a small entity statement under 37 CFR 1.27 claiming such status (if the prior application was entitled to small entity status and such status is still proper and desired, a new small entity statement is **not** required (37 CFR 1.28)).

(b) Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e).

- ☐ 2. Additional claim fees of  
\$ \_\_\_\_\_ (non-small entity) or \$ \_\_\_\_\_ (small entity) for \_\_\_\_\_ independent claims over 3.  
\$ \_\_\_\_\_ (non-small entity) or \$ \_\_\_\_\_ (small entity) for \_\_\_\_\_ claims over 20.  
\$ \_\_\_\_\_ (non-small entity) or \$ \_\_\_\_\_ (small entity) for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☐ 3. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).  
☐ 4. The CPA request is unsigned. Applicant must file a signed duplicate or ratification of the CPA request.  
☐ 5. Other: \_\_\_\_\_

**A copy of this Notice MUST be returned with the reply.**

Direct the reply and any questions about this Notice to:

Henrietta Dendey

Examining Group 1619

(703) 30 8-4655

Adjustment date: 07/23/2001 HTECKLU1  
07/19/2001 HTECKLU1 00000000 08865044  
01 FC:159 -710.00 00

07/19/2001 HTECKLU1 00000000 08865044

01 FC:131 710.00 00  
02 FC:130 130.00 00



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TRANSMITTAL

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

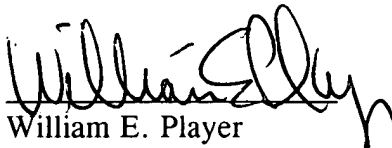
Transmitted herewith are a response to missing parts and petition for extension of time in the above-captioned application.

— Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

XX A check in the amount of \$2230.00 is attached for: application filing fee, late payment surcharge, and petition for extension of time.

XX If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge any fees necessary under 37 CFR 1.17 (a)-(d) to Deposit Account No. 06-1358. The Commissioner is also authorized to charge payment of any other additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1358.

JACOBSON HOLMAN PLLC  
400 Seventh Street, N. W.  
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Atty. Dkt. No.: P58317US2  
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